

EXHIBIT D

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 DR. SARI EDELMAN,

4 Plaintiff,

5 v.

21 Civ. 502 (LJL)

6 NYU LANGONE HEALTH SYSTEM, *et*
7 *al.*,

8 Defendants.

Trial

-----x

9 New York, N.Y.

July 13, 2023

10 8:55 a.m.

11 Before:

12 HON. LEWIS J. LIMAN,

13 District Judge

14 -and a Jury-

15 APPEARANCES

16 MILMAN LABUDA LAW GROUP PLLC

Attorneys for Plaintiff

17 BY: JOSEPH M. LABUDA

EMANUEL S. KATAEV

18 TARTER KRINSKY & DROGIN LLP

Attorneys for Defendants

19 BY: RICHARD C. SCHOENSTEIN

20 RICHARD L. STEER

21 INGRID J. CARDONA

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Antonik - Cross

1 Q. And then would you read the seventh bullet point.

2 A. "I asked -- Tiffany states that she was very much offended
3 by Dr. Edelman's statements and her overall rudeness that she
4 encounters every day."

5 Q. What did you do, if anything, when you received this email?

6 A. I recall discussing this with Miriam.

7 Q. Do you recall doing anything else, if at all?

8 A. No, I don't.

9 MR. STEER: Your Honor, I'd like to publish to the
10 jury Defendants' Exhibit 86 in evidence.

11 THE COURT: You may do so.

12 MR. STEER: Oh, Plaintiff's 86 in evidence. Sorry.

13 Q. Mr. Kaplan, showing you Plaintiff's 86 in evidence, did you
14 write -- withdrawn.

15 Showing you Plaintiff's 86 in evidence, do you believe that
16 any of the statements in this exhibit are untrue?

17 A. No.

18 Q. Did you believe they were true at the time you sent this
19 forward?

20 A. Yes.

21 Q. Were you asked to gather information to put forward about
22 things that had happened in the practice?

23 A. Yes.

24 Q. Did you prepare this in an effort to get Dr. Edelman fired?

25 A. No.

N7DCede3

Swirnow - Direct

1 MR. KATAEV: That's fine, your Honor.

2 "Q. Did David Kaplan ever express to you any discontent or
3 unhappiness with respect to Dr. Edelman?

4 "A. He expressed challenges about the issues that were present
5 in the office."

6 Q. Do you recall making that testimony?

7 A. I don't recall, but that's what it says, so I'm sure that's
8 what I said.

9 Q. So it's fair to say Mr. Kaplan complained to you about the
10 challenges he faced with the directive; right?

11 A. That's not what it says.

12 Q. You also spoke about this issue about Dr. Edelman with
13 Mr. Antonik; correct?

14 A. No, never.

15 MR. KATAEV: Your Honor, lines 23 to 25 on page 109
16 for impeachment.

17 MR. SCHOENSTEIN: Objection.

18 THE COURT: Sustained.

19 Ask the questions and then you can try to use the
20 transcript.

21 Q. What conversations, if any, did you have with Mr. Antonik
22 about Dr. Edelman?

23 A. I don't recall having any conversations directly with
24 Dr. Antonik -- I mean Mr. Antonik. I'm sorry.

25 Q. It's possible that you had conversations with him; correct?